

INVITATION FOR BID

(IFB)

1. Sealed bid proposals and other required documents will be received at the Office of the City Clerk, City Hall, 100 Military Plaza (corner of Commerce and Flores Street), 2nd floor, San Antonio, Texas 78205 will be received for the following project:

HOUSTON ST. – AT&T PARKWAY TO IH-10 SERVICE ROAD

In accordance with Plans and Specifications on file with CDS Muery. Plans and Specifications can be obtained at 3411 Magic Dr., San Antonio, Texas 78229. Please call 210-581-1111 for an order number prior to pick up. Plans and Specifications may be purchased at a cost of \$ 150.00 per set (+ tax). No refund will be made for plan sets that are returned.

2. The following documents constitute the required information to be submitted as a part of the bid proposal:
 - a. Envelope #1, shall contain:
 - 1) Bid document and any alternate bids.
 - b. Envelope #2, shall contain:
 1. Bid bond or cashiers check.
 2. Assurance of Compliance with Equal Employment Opportunity Statement.
 3. Certificate of Non-Segregated Facilities.
 4. Statement on President's Executive Order.
 5. Addenda Acknowledgement Form (if applicable).
 6. Disclosure of Lobbying Activities.
 7. Child Support Statement.
 8. Certificate of Non-Collusion.
 9. Certificate of Interest in Other Bid Proposals for This Work.
 10. Litigation Disclosure Form.
 11. Certificate of Absence of Suspension, Debarment, Voluntary Exclusion, or Determination of Ineligibility.

The envelopes shall be clearly marked with the name of the project for which bids are to be submitted.

3. The Bid shall be submitted in duplicate on Proposal Forms provided with the specifications. Envelope #1 shall contain the Bid and shall be clearly identified as: Bid Proposal For:
Houston St. – AT&T Parkway to IH-10 Service Road.

Envelopes #1 and #2 will be received in the Office of the City Clerk until **2:00 p.m. on Tuesday, January 29, 2013**. All envelopes will be opened and publicly read aloud. Any Bids received after that will be returned unopened. The City reserves the right to reject any and all Bids and waive any formalities.

4. An original Bid Proposal Guaranty issued by a corporate surety company licensed to do business in the State of Texas and payable to the order of the City of San Antonio, Texas, in an amount not less than five percent (5%) of the greatest total amount of the Bid Proposal, must accompany each Bid as a guarantee that if awarded the Contract, the successful Bidder will promptly enter into a Contract and execute payment and performance bonds as outlined in the specification and Contract Documents.

5. A Performance Bond, in an amount of not less than one hundred percent (100%) of the Contract Price, conditioned upon the faithful performance of the Contract; a Payment Bond, as required by Chapter 2253 of the Texas Government Code, guaranteeing the payment of all persons supplying labor and furnishing materials; and an Extended Warranty Bond, either by separate instrument or incorporated in the foregoing bonds, will be required. Payment and performance bonds provided to the City of San Antonio for these purposes are required to conform with Article 7.19-1 of the Texas Insurance Code. To that end, all bonds provided (i) must be executed by a surety company holding a certificate of authority from the United States secretary of the treasury to qualify on obligations permitted or required under federal law—or- (ii) must be provided by a surety company that is covered by reinsurance for any liability in excess of \$100,000.00 from a reinsurer authorized and admitted as a reinsurer in Texas holding a certificate of authority from the United States secretary of the treasury to qualify on obligations permitted or required under federal law.

A. A listing on the Department of the Treasury Listing of Approved Sureties on the date of bond issuance shall be sufficient proof of the aforesaid certificate of authority.

B. A copy of the reinsurance contract(s) with accompanying cover letter with original signature shall be sufficient proof of the aforesaid reinsurance.

Contractor shall provide either a copy of the list as described in "A." above, or the contract(s) and letter described in "B." above, together with the payment and performance bonds.

6. Bid Bonds, Performance Bonds, Payment Bonds, and Extended Warranty Bonds issued by a corporate surety company not licensed to do business in the State of Texas will not be accepted.

7. The successful Bidder will be required to execute the Standard Form Construction Contract prepared and supplied by the City.

8. This is a proposed Public Works Contract, and Chapter 2258 of the Texas Government Code requires that not less than the prevailing wage rate for Work of a similar character in this locality shall be paid all laborers, workmen, and mechanics employed in the construction thereof shall be complied with. The stated Disadvantaged Business Enterprise (DBE) Program goals for this project have been set at 6%. The City DBE Program is subject to approval by the Federal Highway Administration (FHWA).

9.* "NON-DISCRIMINATION IN EMPLOYMENT. BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDER NO. 11246, "EQUAL EMPLOYMENT OPPORTUNITY," AS AMENDED BY EXECUTIVE ORDER NO. 11375, "AMENDING EXECUTIVE ORDER 11246 RELATING TO EQUAL EMPLOYMENT OPPORTUNITY," AND AS SUPPLEMENTED BY REGULATIONS AT 41 CFR PART 60, "OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS, EQUAL EMPLOYMENT OPPORTUNITY, DEPARTMENT OF LABOR. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THIS ORDER ARE EXPLAINED IN THE SPECIFICATIONS"

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10. Per Ordinance #69403, the City of San Antonio, its employees, contractors, and subcontractors shall not discriminate on the basis of race, color, religion, national origin, sex, age, or handicap in the award and performance of contracts, Violation of this ordinance is a criminal offense and subject to penalty.

11. Notice is hereby posted that a pre-bid conference will be held at the **Municipal Plaza Building, 114 W. Commerce, 9th floor conference room, San Antonio, Texas at 10:00 a.m. on January 15, 2013.** This conference will be held to answer questions prospective Bidders may have regarding the intent of the plans and/or specifications.
12. This project will be bid as a separated contract in accordance with a recent amendment to section 151.311 of the tax code. This will allow the contractor to claim a tax exemption on the contract price of materials.
13. Effective January 1, 2006, Chapter 176 of the Texas Local Government Code requires that persons, of their agents, who seek to contract for the sale or purchase of property, goods, or services with the City, shall file a completed conflict of interest questionnaire with the City Clerk not later than the 7th business day after the date that the person: (1) begins contract discussions or negotiations with the City; or (2) submits to the City an application, response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with the City. The conflict of interest questionnaire form is available from the Texas Ethics Commission at www.ethics.state.tx.us. Completed conflict of interest questionnaires may be mailed or delivered by hand to the Office of the City Clerk. If mailing a completed conflict of interest questionnaire, mail to: Office of the City Clerk, P.O. Box 839966, San Antonio, Tex 78283-3966. If delivering a completed conflict of interest questionnaire, deliver to: Office of the City Clerk, City Hall, 2nd floor, 100 Military Plaza, San Antonio, TX 78205. Please consult your own legal advisor if you have questions regarding the stature or form.
14. This construction Contract is being funded with federal funds and is subject to all applicable federal labor standards provisions pertaining to payment of prevailing wage rates, anti-kickback provisions, overtime provisions, etc., as required by federal laws and regulations, in addition to labor standards applicable under State and local law.
15. The stated Disadvantaged Business Enterprise (DBE) Program goals for this project have been set at **5%**. The City DBE Program is subject to approval by the Federal Highway Administration (FHWA).
16. For each Working Day that any Work is not completed after the expiration of Working Days stated in the Invitation for Bids in accordance with the Contract Documents, the sum of \$1800.00 will be deducted from the money due or to become due the Contractor, not as a penalty, but as mutually agreed to liquidated damages and added expense for Owner Contract administration, not otherwise susceptible to exact determination by Owner and Contractor prior to the execution of this Agreement.